

Amendments to the drawings:

Attached is a replacement sheet containing Figs. 1 and 2. Fig. 1 has been amended to add labels to the boxes.

REMARKS

The present amendment is submitted in response to the Office Action dated November 17, 2005, which set a three-month period for response, making this amendment due by February 17, 2006.

Claims 1-10 are pending in this application.

In the Office Action, the drawings were objected to because Fig. 1 includes unlabeled boxes. The specification was objected to for various informalities. Claims 1-10 were rejected under 35 U.S.C. 112, second paragraph, as being indefinite. Claim 1 was rejected under 35 U.S.C. 101 because the claimed recitation of a use, without setting forth any steps involved in the process, results in an improper definition of a process, i.e., results in a claim which is not a proper process claim under 35 U.S.C. 101. Claims 1-10 were rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 5,814,897 to Ito.

In the present amendment, Fig. 1 has been amended to add labels to the blank boxes.

The specification was amended to add standard headings and to address the stated objections.

Claims 1 and 5 were amended to address the rejections under Section 112, second paragraph and Section 101.

Claim 1 was further amended to more clearly define the present invention over the cited references by reciting further that the output signal of the sensor is

transmitted unfiltered to a low pass filter and to a threshold value decider. Support for this language can be found in the specification on page 4, last paragraph, lines 3-5.

The Ito reference discloses in column 5, lines 27-52 and shows in Fig. 1 that an output signal of an acceleration sensor is digitized. Then, this digitized signal is transformed using a wavelet transform and in parallel, the digitized signal is weighted and integrated to get a speed variation. The wavelet transform and the speed variation provide two different conditions, which must be fulfilled for releasing a restraint system. The weighting unit evidently is a filter.

However, the wavelet transform process does not provide the unfiltered signal either, but a processed signal, in other words, a filtered signal.

In addition, Ito does not show that the acceleration signal is filtered using a low pass filter OR that an acceleration is directly transmitted to a threshold decider, as defined in amended claim 1.

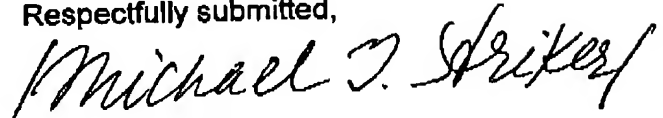
Because Ito fails to disclose several features of amended claim 1, the rejection under Section 102 must be withdrawn. A prior art reference anticipates a claim only if the reference discloses every limitation of the claim. Absence from the reference of any claimed element negates anticipation. *Row v. Dror*, 42 USPQ 2d 1550, 1553 (Fed. Cir. 1997).

For the reasons set forth above, the Applicants respectfully submit that claims 1-10 are patentable over the cited art. The Applicants further request withdrawal of the rejection under 35 U.S.C. 102 and reconsideration of the claims as herein amended.

In light of the foregoing amendments and arguments in support of patentability, the Applicants respectfully submit that this application stands in condition for allowance. Action to this end is courteously solicited.

Should the Examiner have any further comments or suggestions, the undersigned would very much welcome a telephone call in order to discuss appropriate claim language that will place the application into condition for allowance.

Respectfully submitted,



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